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MATTHEW J. GALLUZZO

ERIC M. ARNONE

MEMO ENDORSED

December 15, 2019

Judge William H. Pauley, III
Senior District Court Judge
United States District Court, Southern District of New York
VIA ECF

Re: United States v. Lazaro Rosabal Fleitas, 19-CR-631(WHP)

Dear Judge Pauley,

I represent the defendant in the above-captioned matter. I write to respectfully suggest and request an adjournment of the upcoming December 20 conference. I have conferred with my counterparts with the prosecution and they have no opposition to this application.

I previously requested a two-week adjournment on my client's behalf because we had just received from the prosecution a plea bargain agreement that I needed to review with my client and an interpreter. I now apologize to the Court for failing to identify a potential problem with my previous request. Specifically, my client has discovered that the flights from his home in Miami to New York are prohibitively expensive for him at this time of year (on account of the holiday traffic, undoubtedly). Of course, he is financially eligible for CJA counsel, so this expense is a genuine concern for his family. As such, we would respectfully request an additional two week adjournment, to perhaps January 10, 2020. We anticipate that flights will be more affordable at that time. Furthermore, my client would respectfully request an afternoon appearance, as he would need time to fly up from Florida in the morning and come directly to court from the airport.



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Furthermore, my client and I have identified a technical issue with one of the discovery items disclosed to us by the prosecution, and we are working with our counterparts to correct the problem. The adjournment will hopefully allow us to sort out that issue prior to the next appearance. I am also informed that the assigned prosecutor, Ms. Johnson, has a scheduling conflict with the December 20 appearance, as well.

The defense would consent to a waiver of speedy trial time pursuant to 18 U.S.C. § 3161 for this purpose.

This is the third request for an adjournment.

Most sincerely,

_____/s/_____
Matthew J. Galluzzo, Esq.
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CC:

AUSA Emily Johnson
AUSA Kiersten Fletcher
VIA EMAIL AND ECF

Application granted. Conference adjourned to January 20, 2020 at 2:00 p.m.

SO ORDERED:



WILLIAM H. PAULEY III
U.S.D.J.

December 17, 2019